

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

C.D.S. Inc.,

plaintiff,

-against-

Bradley Zetler *et al.*,

defendants.

16 Civ. 3199 (VM) (JLC)

STIPULATION

WHEREAS on April 29, 2016, plaintiff C.D.S. Inc. moved for a preliminary injunction in this case against defendants Rapid Systems CC, CDS LLC and Bradley Zetler (collectively "Rapid Systems" and, together with plaintiff, the "parties");

WHEREAS, on June 2 and 3, 2016, the Court held evidentiary hearings with respect to the preliminary injunction, took live evidence from all parties, and granted plaintiff's motion for a preliminary injunction;

WHEREAS by written order dated June 6, 2016, the Court ordered that "C.D.S. and Rapid Systems shall meet and confer immediately and in good faith" regarding the implementation of a preliminary injunction in this case;

WHEREAS by written order dated June 15, 2016, the Court appointed Daniel Garrie to serve as Special Master in this case and to, *inter alia*, "facilitate agreement between the parties on technical and operational issues"; and

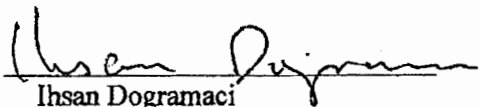
WHEREAS the parties have participated in seven hearings with the Special Master, which have resulted in a recommendation to the Court by the Special Master,

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE:

1. Each party acknowledges that the Special Master's recommendation to the Court is the outcome of the hearings conducted before the Special Master pursuant to the Court's Order of June 6, 2016.
2. The Special Master's recommendation is an implementation of the Court's Order of June 6, 2016, and the parties shall comply with it as such.
3. The parties' participation in the hearings conducted by the Special Master and compliance with the Special Master's recommendation to the Court, for example (without limitation), by changing, or allowing a change in, the AgencyPad code, does not constitute a waiver of any right of any party, including without limitation, any right of appeal from the Order of June 6, 2016 or legal arguments with respect to the copyright ownership issues in this matter.

IT IS SO STIPULATED.

THE LAW OFFICE OF IHSAN
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*Counsel for Bradley Zetler, CDS LLC,
and Rapid Systems CC*

Date: June 29, 2016

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Counsel for C.D.S. Inc.

Date: June 29, 2016

SO ORDERED.

6-29-16
DATE



VICTOR MARRERO, U.S.D.J.

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June 29, 2016

BY FAX

Hon. Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Suite 1040
New York, NY 10007

Re: C.D.S. Inc. v. Zetler et al., No. 16 Civ. 3199 (VM) (JLC)

Dear Judge Marrero:

I represent defendants Rapid Systems CC, CDS LLC and Bradley Zetler (collectively "Rapid Systems") in this case.

I attach a Stipulation executed by Rapid Systems and plaintiff C.D.S. Inc. as discussed with the Court during the telephonic conference conducted this afternoon.

Respectfully submitted,



Ihsan Dogramaci

Attachment

cc (by e-mail): Special Master Daniel Garrie
All counsel of record